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35 *Attorneys for Defendants Rimini Street, Inc. and Seth Ravin*

36 **UNITED STATES DISTRICT COURT**
37 **DISTRICT OF NEVADA**

38 ORACLE USA, INC., a Colorado corporation;
39 ORACLE AMERICA, INC., a Delaware
40 corporation; and ORACLE INTERNATIONAL
41 CORPORATION, a California corporation,

42 Plaintiffs,

43 v.

44 RIMINI STREET, INC., a Nevada corporation;
45 and SETH RAVIN, an individual,

46 Defendants.

47 **HEARING REQUESTED UNDER LOCAL**
48 **RULE 54-14(f)**

49 Case No. 2:10-cv-0106-LRH-VCF

50 **DECLARATION OF BLAINE H.**
51 **EVANSON IN SUPPORT OF**
52 **DEFENDANTS' OPPOSITION TO**
53 **ORACLE'S RENEWED MOTION**
54 **FOR ATTORNEYS' FEES**

1 I, Blaine H. Evanson, hereby declare:

2 1. I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, and I am one of the
3 attorneys representing Defendants Rimini Street, Inc. and Seth Ravin (collectively, "Rimini") in the
4 above-captioned case. I submit this declaration in support of Defendants' Opposition to Oracle's
5 Renewed Motion for Attorneys' Fees. The facts stated in this declaration are based on my personal
6 knowledge, and if called upon as a witness I would and could testify competently to them.

7 2. On July 27, 2015, Rimini served Oracle with an offer of judgment pursuant to Federal
8 Rule of Civil Procedure 68 for \$60 million inclusive of all damages, prejudgment interest, and
9 attorneys' fees, to be paid over three years, and a proposed stipulated injunction. Attached as
10 **Exhibit 1** is a true and correct copy of Rimini's Rule 68 offer of judgment and proposed stipulated
11 injunction. Oracle rejected the offer on July 28, 2015. Attached as **Exhibit 2** is a true and correct
12 copy of Oracle's letter rejecting Rimini's offer.

13 3. On August 24, 2015, Rimini served Oracle with an offer of judgment pursuant to
14 Federal Rule of Civil Procedure 68 for \$100 million inclusive of all damages, prejudgment interest,
15 and attorneys' fees, to be paid over four years, and a proposed stipulated injunction. Attached as
16 **Exhibit 3** is a true and correct copy of Rimini's Rule 68 offer of judgment and proposed stipulated
17 injunction. Oracle rejected the offer on August 25, 2015. Attached as **Exhibit 4** is a true and correct
18 copy of Oracle's letter rejecting Rimini's offer.

19 4. At trial, Oracle sought \$128.3 million in damages for copyright infringement.
20 Attached as **Exhibit 5** is a true and correct copy of Plaintiffs' Trial Exhibit 6006 showing Oracle's
21 requested damages.

22 I declare under penalty of perjury under the laws of the United States that the foregoing is true
23 and correct and that this declaration was executed in Irvine, California, on May 25, 2018.

24 _____
25 */s/ Blaine H. Evanson*
26 Blaine H. Evanson
27
28

CERTIFICATE OF SERVICE

I hereby certify that on May 25, 2018, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Nevada, using the electronic case filing system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

GIBSON, DUNN & CRUTCHER LLP

By: s/ Blaine H. Evanson
Blaine H. Evanson

*Attorneys for Defendants
Rimini Street, Inc. and Seth Ravin*

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